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By: Salvatore

Date: 10/24/2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

VAN LOON ET AL.

Serial Number: 09/493,484

Group Art Unit: 1648

Filed: January 28, 2000

Examiner: J. Parkin

For: NOVEL ANTIGENIC CLASS OF AVIAN REOVIRUSES

RESPONSE

Assistant Commissioner of Patents  
Washington, D.C. 20231

October 24, 2001

Sir:

In reply to the Office Action of September 26, 2001 requiring a restriction among the claims, Applicants hereby elect Group II directed to claims 5-9 and 14 drawn to a vaccine. Applicants also include in that election claim 12 directed to a method for controlling disease by administering the vaccine according to claim 5. The vaccine composition and the method of using it are subject to examination together.

Applicants further submit that all claims are commonly related to the avian reovirus of a particular antigenic

class as defined in claim 1 and, accordingly, can be examined without undue effort on the part of the Examiner. "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." MPEP Section 803. Accordingly, this election is made with traverse and it is requested that claims 1-15 be examined together.

Respectfully submitted,



William M. Blackstone  
Attorney for Applicant  
Registration No. 29,772

Attorney Docket No. 1999.454 US  
Akzo Nobel Patent Department  
1300 Piccard Drive, Suite 206  
Rockville, Maryland 20850-4373  
Tel: (301) 948-7400  
Fax: (301) 948-9751

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## TELEFAX TRANSMITTAL SHEET GROUP 1

DATE: 10/24/01  
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TO: Ex. J. Parker COMPANY/DEPT.: AUT#1648 FAX NO.: 703.308.4242

FROM: William M. Blackstone COMPANY/DEPT.: PATENT DEPARTMENT  
ROCKVILLE, MARYLAND FAX NO.: (301) 948-9751  
PHONE NO.: (301) 948-7400

SUBJECT/REFERENCE: VAN LOON ET AL., US8N 09/493,484

**CONFIDENTIAL**

REMARKS:

Pls. accept the following in the above-  
identified patent application:

• RESPONSE (2pgs.)

Thank you.

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